

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Rafael C. Guerrero)	File Number EB-04-ST-066
Licensee of AM Station KRSC)	NAL/Acct. No. 200532980002
Othello, Washington)	FRN 0009705435
Facility ID # 25350)	

FORFEITURE ORDER

Adopted: August 29, 2005

Released: August 31, 2005

By the Regional Director, Western Region, Enforcement Bureau:

1. In this *Forfeiture Order* ("Order"), we issue a monetary forfeiture in the amount of eight thousand dollars (\$8,000) to Rafael C. Guerrero, licensee of station KRSC(AM), in Othello, Washington, for willful and repeated violation of Section 11.35 of the Commission's Rules ("Rules").¹ The noted violation involves Mr. Guerrero's failure to maintain operational EAS equipment at KRSC(AM).

2. On March 7, 2005, the Acting District Director of the Commission's Seattle District Office issued a *Notice of Apparent Liability for Forfeiture* ("NAL") in the amount of \$8,000 to Mr. Guerrero.² Mr. Guerrero has not filed a response to the NAL. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Communications Act of 1934, as amended ("Act"),³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission's Rules,⁴ Rafael C. Guerrero **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$8,000 for willfully and repeatedly failing to maintain operational EAS equipment at KRSC(AM), Othello, Washington, in violation of Section 11.35 of the Rules.⁵

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁶ Payment of the forfeiture must be made by check or similar instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Acct. No. and FRN No. referenced above. Payment by check or money order may be mailed to Federal Communications

¹47 C.F.R. § 11.35.

²*Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200532980002 (Enf. Bur., Western Region, Seattle Office, released March 7, 2005).

³47 U.S.C. § 503(b).

⁴47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

⁵47 C.F.R. § 11.35.

⁶47 U.S.C. § 504(a).

Commission, P.O. Box 358340, Pittsburgh, PA 15251-8340. Payment by overnight mail may be sent to Mellon Bank /LB 358340, 500 Ross Street, Room 1540670, Pittsburgh, PA 15251. Payment by wire transfer may be made to ABA Number 043000261, receiving bank Mellon Bank, and account number 911-6106. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Group, 445 12th Street, S.W., Washington, D.C. 20554.⁷

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class Mail and Certified Mail Return Receipt Requested to Rafael C. Guerrero at his address of record.

FEDERAL COMMUNICATIONS COMMISSION

Rebecca L. Dorch
Regional Director, Western Region
Enforcement Bureau

⁷See 47 C.F.R. § 1.1914.